

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 422

By: Dugger

4
5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Accountancy Board;
8 amending 59 O.S. 2011, Sections 15.1A, as amended by
9 Section 1, Chapter 60, O.S.L. 2015, 15.2, as amended
10 by Section 1, Chapter 55, O.S.L. 2014, 15.10A, 15.14,
11 and 15.14A, (59 O.S. Supp. 2018, Sections 15.1A and
12 15.2) which relate to definitions, qualifications,
13 examinations, registration, and permits; modifying
14 definition; modifying sunset date; making application
15 fee nonrefundable; modifying language; expanding
16 reinstatement license fee; increasing permit fee;
17 updating statutory reference; providing an effective
18 date; and declaring an emergency.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 59 O.S. 2011, Section 15.1A, as
21 amended by Section 1, Chapter 60, O.S.L. 2015 (59 O.S. Supp. 2018,
22 Section 15.1A), is amended to read as follows:

23 Section 15.1A. As used in the Oklahoma Accountancy Act:

24 1. "Accountancy" means the profession or practice of
25 accounting;

2. "AICPA" means the American Institute of Certified Public
26 Accountants;

1 3. "Applicant" means an individual or entity that has made
2 application to the Board for a certificate, license, or permit and
3 said application has not been approved;

4 4. "Assurance" means independent professional services that
5 improve the quality of information, or its context, for decision
6 makers;

7 5. "Attest" means providing the following services:

- 8 a. any audit or other engagement to be performed in
9 accordance with the Statements on Auditing Standards
10 (SAS),
- 11 b. any review of a financial statement to be performed in
12 accordance with the Statements on Standards for
13 Accounting and Review Services (SSARS),
- 14 c. any engagement performed in accordance with the
15 Statements on Standards for Attestation Engagements
16 (SSAE), and
- 17 d. any engagement to be performed in accordance with the
18 Auditing Standards of the Public Company Accounting
19 Oversight Board (PCAOB).

20 The statements on standards specified in this definition shall
21 be adopted by reference by the Board pursuant to rulemaking and
22 shall be those developed for general application by recognized
23 national accountancy organizations, such as the AICPA, IFAC and the
24 PCAOB;

1 6. "Audit" can only be performed by an individual or entity who
2 is registered with the Board and holding a valid permit issued
3 pursuant to the Oklahoma Accountancy Act, or an individual granted
4 practice privileges under Section 15.12A of this title, and means a
5 systematic investigation or appraisal of information, procedures, or
6 operations performed in accordance with generally accepted auditing
7 standards in the United States, for the purpose of determining
8 conformity with established criteria and communicating the results
9 to interested parties;

10 7. "Board" means the Oklahoma Accountancy Board;

11 8. "Candidate" means an individual who has been qualified and
12 approved by the Board to take an examination for a certificate or
13 license;

14 9. "Certificate" means the Oklahoma document issued by the
15 Board to a candidate upon successful completion of the certified
16 public accountant examination designating the holder as a certified
17 public accountant pursuant to the laws of Oklahoma. "Certificate"
18 shall also mean the Oklahoma document issued by reciprocity to an
19 individual who has previously been certified in another
20 jurisdiction;

21 10. "Certified public accountant" means any person who has
22 received a certificate from the Board or other jurisdictions;

23 11. "Client" means the individual or entity which retains a
24 registrant, an individual granted practice privileges under Section

1 15.12A of this title, or a firm exempt from the permit and
2 registration requirements under Section 15.15C of this title to
3 perform professional services;

4 12. "Compilation" when used with reference to financial
5 statements, means presenting information in the form of financial
6 statements which is the representation of management or owners
7 without undertaking to express any assurance on the statements;

8 13. "CPA" or "C.P.A." means certified public accountant;

9 14. "Designated manager" means the ~~individual domiciled in~~
10 Oklahoma and Oklahoma certified public accountant or public
11 accountant appointed by the firm partners or shareholders to be
12 responsible for the administration of the office;

13 15. "Designee" means the National Association of State Boards
14 of Accountancy (NASBA) or other entities so designated by the Board;

15 16. "Entity" means an organization whether for profit or not,
16 recognized by the State of Oklahoma to conduct business;

17 17. "Examination" means the test sections of Auditing and
18 Attestation, Business Environment and Concepts, Financial Accounting
19 and Reporting, and Regulation or their successors, administered,
20 supervised, and graded by, or at the direction of, the Board or
21 other jurisdiction that is required for a certificate as a certified
22 public accountant or a license as a public accountant;

23 18. "Executive director" means the chief administrative officer
24 of the Board;

1 19. "Financial statements" means statements and footnotes
2 related thereto that undertake to present an actual or anticipated
3 financial position as of a point in time, or results of operations,
4 cash flow, or changes in financial position for a period of time, in
5 conformity with generally accepted accounting principles or another
6 comprehensive basis of accounting. The term does not include
7 incidental financial data included in management advisory service
8 reports to support recommendations to a client; nor does it include
9 tax returns and supporting schedules;

10 20. "Firm" means an entity that is either a sole
11 proprietorship, partnership, professional limited liability company,
12 professional limited liability partnership, limited liability
13 partnership or professional corporation, or any other professional
14 form of organization organized under the laws of the State of
15 Oklahoma or the laws of another jurisdiction and issued a permit in
16 accordance with Section 15.15A of this title or exempt from the
17 permit requirement under Section 15.15C of this title, including
18 individual partners or shareholders, that is engaged in accountancy;

19 21. "Holding out" means any representation by an individual
20 that he or she holds a certificate or license and a valid permit, or
21 by an entity that it holds a valid permit. Any such representation
22 is presumed to invite the public to rely upon the professional
23 skills implied by the certificate or license and valid permit in
24 connection with the services or products offered;

1 22. "Home office" means the location specified by the client as
2 the address to which a service described in Section 15.12A of this
3 title is directed;

4 23. "IFAC" means the International Federation of Accountants;

5 24. "Individual" means a human being;

6 25. "Jurisdiction" means any state or territory of the United
7 States and the District of Columbia;

8 26. "License" means the Oklahoma document issued by the Board
9 to a candidate upon successful completion of the public accountant
10 examination designating the holder as a public accountant pursuant
11 to the laws of Oklahoma. "License" shall also mean the Oklahoma
12 document issued by the Board by reciprocity to a public accountant
13 who has previously been licensed by examination in another
14 jurisdiction;

15 27. "Management advisory services", also known as "management
16 consulting services", "management services", "business advisory
17 services" or other similar designation, hereinafter collectively
18 referred to as "MAS", means the function of providing advice and/or
19 technical assistance, performed in accordance with standards for MAS
20 engagements and MAS consultations such as those issued by the
21 American Institute of Certified Public Accountants, where the
22 primary purpose is to help the client improve the use of its
23 capabilities and resources to achieve its objectives including but
24 not limited to:

- 1 a. counseling management in analysis, planning,
2 organizing, operating, risk management and controlling
3 functions,
4 b. conducting special studies, preparing recommendations,
5 proposing plans and programs, and providing advice and
6 technical assistance in their implementation,
7 c. reviewing and suggesting improvement of policies,
8 procedures, systems, methods, and organization
9 relationships, and
10 d. introducing new ideas, concepts, and methods to
11 management.

12 MAS shall not include recommendations and comments prepared as a
13 direct result of observations made while performing an audit,
14 review, or compilation of financial statements or while providing
15 tax services, including tax consultations;

16 28. "NASBA" means the National Association of State Boards of
17 Accountancy;

18 29. "PA" or "P.A." means public accountant;

19 30. "Partnership" means a contractual relationship based upon a
20 written, oral, or implied agreement between two or more individuals
21 who combine their resources and activities in a joint enterprise and
22 share in varying degrees and by specific agreement in the management
23 and in the profits or losses. A partnership may be general or
24 limited as the laws of this state define those terms;

1 31. "PCAOB" means the Public Company Accounting Oversight
2 Board;

3 32. "Peer Review" means a review performed pursuant to a set of
4 peer review rules established by the Board. The term "peer review"
5 also encompasses the term "quality review";

6 33. "Permit" means the written authority granted annually by
7 the Board to individuals or firms to practice public accounting in
8 Oklahoma, which is issued pursuant to the Oklahoma Accountancy Act;

9 34. a. "Practice of public accounting", also known as
10 "practice public accounting", "practice" and "practice
11 accounting", refers to the activities of a registrant,
12 an individual granted practice privileges under
13 Section 15.12A of this title, or a firm exempt from
14 the permit and registration requirements under Section
15 15.15C of this title in reference to accountancy. An
16 individual or firm shall be deemed to be engaged in
17 the practice of public accounting if the individual or
18 firm holds itself out to the public in any manner as
19 one skilled in the knowledge, science, and practice of
20 accounting and auditing, taxation and management
21 advisory services and is qualified to render such
22 professional services as a certified public accountant
23 or public accountant, and performs the following:
24

- 1 (1) maintains an office for the transaction of
2 business as a certified public accountant or
3 public accountant,
- 4 (2) offers to prospective clients to perform or who
5 does perform on behalf of clients professional
6 services that involve or require an audit,
7 verification, investigation, certification,
8 presentation, or review of financial transactions
9 and accounting records or an attestation
10 concerning any other written assertion,
- 11 (3) prepares or certifies for clients reports on
12 audits or investigations of books or records of
13 account, balance sheets, and other financial,
14 accounting and related schedules, exhibits,
15 statements, or reports which are to be used for
16 publication or for the purpose of obtaining
17 credit, or for filing with a court of law or with
18 any governmental agency, or for any other
19 purpose,
- 20 (4) generally or incidentally to the work described
21 herein, renders professional services to clients
22 in any or all matters relating to accounting
23 procedure and to the recording, presentation, or
24 certification of financial information or data,

- 1 (5) keeps books, or prepares trial balances,
2 financial statements, or reports, all as a part
3 of bookkeeping services for clients,
4 (6) prepares or signs as the tax preparer, tax
5 returns for clients, consults with clients on tax
6 matters, conducts studies for clients on tax
7 matters and prepares reports for clients on tax
8 matters, unless the services are uncompensated
9 and are limited solely to the registrant's, or
10 the registrant's spouse's lineal and collateral
11 heirs,
12 (7) prepares personal financial or investment plans
13 or provides to clients products or services of
14 others in implementation of personal financial or
15 investment plans, or
16 (8) provides management advisory services to clients.

17 b. Except for an individual granted practice privileges
18 under Section 15.12A of this title or a firm exempt
19 from the permit and registration requirements under
20 Section 15.15C of this title, an individual or firm
21 not holding a certificate, license or permit shall not
22 be deemed to be engaged in the practice of public
23 accounting if the individual or firm does not hold
24 itself out, solicit, or advertise for clients using

1 the certified public accountant or public accountant
2 designation and engages only in the following
3 services:

4 (1) keeps books, or prepares trial balances,
5 financial statements, or reports, provided such
6 instruments do not use the terms "audit",
7 "audited", "exam", "examined", "review" or
8 "reviewed" or are not exhibited as having been
9 prepared by a certified public accountant or
10 public accountant. Except for an individual
11 granted practice privileges under Section 15.12A
12 of this title or a firm exempt from the permit
13 and registration requirements under Section
14 15.15C of this title, nonregistrants may use the
15 following disclaimer language in connection with
16 financial statements and be in compliance with
17 the Oklahoma Accountancy Act: "I (we) have not
18 audited, examined or reviewed the accompanying
19 financial statements and accordingly do not
20 express an opinion or any other form of assurance
21 on them.",

22 (2) prepares or signs as the tax preparer, tax
23 returns for clients, consults with clients on tax
24 matters, conducts studies for clients on tax

1 matters and prepares reports for clients on tax
2 matters,

3 (3) prepares personal financial or investment plans
4 or provides to clients products or services of
5 others in implementation of personal financial or
6 investment plans, or

7 (4) provides management advisory services to clients.

8 c. Only permit holders, individuals granted practice
9 privileges under Section 15.12A of this title, or
10 firms exempt from the permit and registration
11 requirements under Section 15.15C of this title may
12 render or offer to render any attest service, as
13 defined herein, or issue a report on financial
14 statements which purport to be in compliance with the
15 Statements on Standards for Accounting and Review
16 Services (SSARS). This restriction shall not prohibit
17 any act of a public official or public employee in the
18 performance of that person's duties. This restriction
19 shall not be construed to prohibit the performance by
20 any unlicensed individual of other services as set out
21 in subparagraph b of this paragraph.

22 d. A person is not deemed to be practicing public
23 accounting within the meaning of this section solely
24 by displaying an Oklahoma CPA certificate or a PA
25

1 license in an office, identifying himself or herself
2 as a CPA or PA on letterhead or business cards, or
3 identifying himself or herself as a CPA or PA.
4 However, the designation of CPA or PA on such
5 letterheads, business cards, public signs,
6 advertisements, publications directed to clients or
7 potential clients, financial or tax documents of a
8 client, performance of any attest service or issuance
9 of a report constitutes the practice of public
10 accounting and requires a permit, practice privileges
11 under Section 15.12A of this title, or an exemption
12 from the permit and registration requirements under
13 Section 15.15C of this title;

14 35. "Preissuance review" means a review performed pursuant to a
15 set of procedures that include review of engagement document,
16 report, and clients' financial statements in order to permit the
17 reviewer to assess compliance with all applicable professional
18 standards;

19 36. "Principal place of business" means the office location
20 designated by the licensee for the purposes of substantial
21 equivalency and reciprocity;

22 37. "Professional corporation" means a corporation organized
23 pursuant to the laws of this state;

1 38. "Professional" means arising out of or related to the
2 specialized knowledge or skills associated with CPAs or PAs;

3 39. "Public accountant" means any individual who has received a
4 license from the Board;

5 40. "Public interest" means the collective well-being of the
6 community of people and institutions the profession serves;

7 41. "Qualification applicant" means an individual who has made
8 application to the Board to qualify to become a candidate for
9 examination;

10 42. "Registrant" means a CPA, PA, or firm composed of certified
11 public accountants or public accountants or combination of both
12 currently registered with the Board pursuant to the authority of the
13 Oklahoma Accountancy Act;

14 43. "Report", when used with reference to any attest or
15 compilation service, means an opinion, report or other form of
16 language that states or implies assurance as to the reliability of
17 the attested information or complied financial statements, and that
18 also includes or is accompanied by any statement or implication that
19 the person or firm issuing it has special knowledge or competence in
20 accounting or auditing. Such a statement or implication of special
21 knowledge or competence may arise from use by the issuer of the
22 report of names or titles indicating that the person or firm is an
23 accountant or auditor, or from the language of the report itself.
24 The term "report" includes any form of language which disclaims an

1 opinion when such form of language is conventionally understood to
2 imply any positive assurance as to the reliability of the attested
3 information or compiled financial statements referred to and/or
4 special competence on the part of the person or firm issuing such
5 language; and it includes any other form of language that is
6 conventionally understood to imply such assurance and/or such
7 special knowledge or competence. This definition is not intended to
8 include a report prepared by a person not holding a certificate or
9 license or not granted practice privileges under Section 15.12A of
10 this title. However, such report shall not refer to "audit",
11 "audited", "exam", "examined", "review" or "reviewed", nor use the
12 language "in accordance with standards established by the American
13 Institute of Certified Public Accountants" or successor of said
14 entity, or governmental agency approved by the Board, except for the
15 Internal Revenue Service. Except for an individual granted practice
16 privileges under Section 15.12A of this title or a firm exempt from
17 the permit and registration requirements under Section 15.15C of
18 this title, nonregistrants may use the following disclaimer language
19 in connection with financial statements not to be in violation of
20 the Oklahoma Accountancy Act: "I (we) have not audited, examined,
21 or reviewed the accompanying financial statements and accordingly do
22 not express an opinion or any other form of assurance on them.";

23 44. "Representation" means any oral or written communication
24 including but not limited to the use of title or legends on

1 letterheads, business cards, office doors, advertisements, and
2 listings conveying the fact that an individual or entity holds a
3 certificate, license or permit;

4 45. "Review", when used with reference to financial statements,
5 means a registrant or an individual granted practice privileges
6 under Section 15.12A of this title, or a firm exempt from the permit
7 and registration requirements under Section 15.15C of this title
8 performing inquiry and analytical procedures that provide the
9 registrant with a reasonable basis for expressing limited assurance
10 that there are no material modifications that should be made to the
11 statements in order for them to be in conformity with generally
12 accepted accounting principles or, if applicable, with another
13 comprehensive basis of accounting; and

14 46. "Substantial equivalency" is a determination by the
15 Oklahoma Accountancy Board or its designee that:

- 16 a. the education, examination and experience requirements
17 contained in the statutes and administrative rules of
18 another jurisdiction are comparable to, or exceed, the
19 education, examination and experience requirements
20 contained in the AICPA/NASBA Uniform Accountancy Act,
21 or
22 b. that an individual certified public accountant's or
23 public accountant's education, examination and
24 experience qualifications are comparable to or exceed

1 the education, examination and experience requirements
2 contained in the Oklahoma Accountancy Act and rules of
3 the Board.

4 In ascertaining substantial equivalency as used in the Oklahoma
5 Accountancy Act, the Board or its designee shall take into account
6 the qualifications without regard to the sequence in which
7 experience, education, or examination requirements were attained.

8 SECTION 2. AMENDATORY 59 O.S. 2011, Section 15.2, as
9 amended by Section 1, Chapter 55, O.S.L. 2014 (59 O.S. Supp. 2018,
10 Section 15.2), is amended to read as follows:

11 Section 15.2. A. There is hereby re-created, to continue until
12 July 1, ~~2020~~ 2026, in accordance with the provisions of the Oklahoma
13 Sunset Law, the Oklahoma Accountancy Board. The Oklahoma
14 Accountancy Board shall have the responsibility for administering
15 and enforcing the Oklahoma Accountancy Act. The Oklahoma
16 Accountancy Board shall be composed of seven (7) members, who shall
17 have professional or practical experience in the use of accounting
18 services and financial matters, so as to be qualified to make
19 judgments about the qualifications and conduct of persons and firms
20 subject to regulation under ~~this act~~ the Oklahoma Accountancy Act to
21 be appointed by the Governor and confirmed by the Senate. The
22 number of registrant members shall not be more than six, not
23 including a firm, who shall serve terms of five (5) years. No
24 member who has served two successive complete terms shall be

1 eligible for reappointment, but an appointment to fill an unexpired
2 term shall not be considered a complete term for this purpose. The
3 public member shall serve coterminously with the Governor appointing
4 the public member.

5 B. One member shall be either a public accountant licensed and
6 holding a permit pursuant to the provisions of the Oklahoma
7 Accountancy Act, or a person with professional or practical
8 experience in the use of accounting services and financial matters
9 and who shall have met the educational requirements to qualify as a
10 candidate for examination for the license of public accountant as
11 provided in subsection B of Section 15.8 of this title. A list of
12 qualified persons shall be compiled and submitted to the Governor by
13 the Oklahoma Society of Public Accountants, or successor
14 organization from time to time as appointment of the Board member is
15 required to be made. A list of three names shall be submitted for
16 each single appointment from which the Governor may make the
17 appointment.

18 C. Five members shall be certified public accountants holding
19 certificates and four shall hold permits issued pursuant to the
20 provisions of the Oklahoma Accountancy Act, at least four of whom
21 shall have been engaged in the practice of public accounting as a
22 certified public accountant continuously for not less than five (5)
23 out of the last fifteen (15) years immediately preceding their
24 appointments. A list of qualified persons shall be compiled and

1 submitted to the Governor by the Oklahoma Society of Certified
2 Public Accountants from time to time as appointments of the
3 certified public accountant Board members are required. A list of
4 three names shall be submitted for each single appointment from
5 which the Governor may make the appointment.

6 D. One member shall be a public member who is not a certified
7 public accountant or licensed public accountant. The public member
8 shall be appointed by the Governor to a term coterminous with the
9 Governor. The public member shall serve at the pleasure of the
10 Governor.

11 E. Upon the expiration of the term of office, a member shall
12 continue to serve until a qualified successor has been appointed.
13 Confirmation by the Senate is required during the next regular
14 session of the Oklahoma Senate for the member to continue to serve.

15 SECTION 3. AMENDATORY 59 O.S. 2011, Section 15.10A, is
16 amended to read as follows:

17 Section 15.10A. Each candidate shall pay fees, to be determined
18 by the Oklahoma Accountancy Board, not to exceed One Thousand
19 Dollars (\$1,000.00) for each examination.

20 An application fee, payable to the Board, shall be paid by the
21 candidate at the time the application for the examination is filed.
22 The application fee shall ~~not be refunded unless the Board~~
23 ~~determines that the candidate is unqualified to sit for the~~
24 ~~examination or for such other good causes as determined by the Board~~

1 ~~on a case-by-case basis~~ nonrefundable. Also, each candidate shall
2 pay test fees to the organizations designated by the Board to
3 provide a computer-based examination. In no event shall the total
4 fees paid by a candidate for each examination exceed One Thousand
5 Dollars (\$1,000.00).

6 SECTION 4. AMENDATORY 59 O.S. 2011, Section 15.14, is
7 amended to read as follows:

8 Section 15.14. A. In addition to obtaining a certificate or
9 license, certified public accountants and public accountants, unless
10 granted practice privileges under Section 15.12A of this title,
11 shall register with the Oklahoma Accountancy Board and pay a
12 registration fee.

13 ~~B. Until January 1, 2010, all valid certificates and licenses~~
14 ~~ending in an odd number shall expire on July 31 of each odd-numbered~~
15 ~~year. All valid certificates and licenses ending in an even number~~
16 ~~shall expire on July 31 of each even-numbered year. All such~~
17 ~~registrations shall expire on the last day of July and may be~~
18 ~~renewed for a period of two (2) years. The Board shall implement~~
19 ~~rules for the scheduling of expiration and renewal of certificates~~
20 ~~and licenses, including the prorating of fees.~~

21 ~~C.~~ After the initial registration, renewal of registrations
22 shall be accomplished by registrants in good standing upon filing of
23 the registration and upon payment of the registration fee. Interim
24 registration shall be at full rates.

1 ~~D. Effective January 1, 2010, all~~

2 C. All valid certificates or licenses shall be renewed ~~based on~~
3 ~~staggered expiration dates on~~ by the last day of the individuals'
4 birth months. Renewal will be effective for a twelve-month period.
5 The Board shall implement rules for the scheduling of expiration and
6 renewal of certificates and licenses, including the prorating of
7 fees.

8 ~~F.~~ D. Not less than thirty (30) calendar days before the
9 expiration of a valid certificate or license, written notice of the
10 expiration date shall be mailed to the individual holding the valid
11 certificate or license at the last-known address of such individual
12 according to the official records of the Board.

13 ~~F.~~ E. A certificate or license shall be renewed by payment of a
14 registration renewal fee set by the Board which shall not exceed Two
15 Hundred Dollars (\$200.00) for each two-year period.

16 1. Upon failure of an individual to pay registration fees on or
17 before the expiration date, the Board shall notify the individual in
18 writing by certified mail to the last known address of the
19 individual, as reflected in the records of the Board, of the
20 individual's failure to comply with the Oklahoma Accountancy Act.

21 2. A certificate or license granted under authority of the
22 Oklahoma Accountancy Act shall automatically be revoked if the
23 individual fails to pay registration fees within thirty (30) days
24 after the expiration date.

1 3. Any individual whose certificate or license is cancelled,
2 revoked for cause or automatically revoked by this provision may be
3 reinstated by the Board upon payment of:

4 a. a fee set by the Board which shall not exceed Three
5 Hundred Dollars (\$300.00) for a renewal within one (1)
6 year of the due date, or

7 b. a fee set by the Board which shall not exceed ~~Six~~
8 ~~Hundred Dollars (\$600.00) for a renewal after the~~
9 ~~expiration of a year~~ Five Thousand Dollars (\$5,000.00)
10 after one year of the expiration date.

11 However, an individual whose certificate or license has been
12 ~~expired, surrendered, canceled or~~ revoked for cause for five (5)
13 years or more may not renew the certificate or license. The
14 individual may obtain a new certificate or license by complying with
15 the requirements and procedures, including the examination
16 requirements, for obtaining an original certificate or license.
17 This provision shall not apply to an individual who is licensed to
18 practice in another jurisdiction for the five (5) years immediately
19 preceding their application for reinstatement.

20 G. F. The Board shall establish rules whereby the registration
21 fee for certified public accountants and public accountants may,
22 upon written application to the Board, be reduced or waived by the
23 Board for registrants who have retired upon reaching retirement age,
24 or who have attained the age of sixty-five (65) years, or who have

1 become disabled to a degree precluding the continuance of their
2 practice for six (6) months or more prior to the due date of any
3 renewal fee. The Board shall use its discretion in determining
4 conditions required for retirement or disability.

5 ~~H.~~ G. All notifications of criminal arrests or charges,
6 disciplinary actions by any other jurisdiction or foreign country,
7 revocation or suspension by enforcement action of any professional
8 credential and all changes of employment or mailing address shall be
9 reported to the Board within thirty (30) calendar days of such
10 changes becoming effective.

11 ~~I.~~ H. At the direction of the Board, a register of registrants
12 may be published in any media format the Board considers appropriate
13 for public distribution.

14 SECTION 5. AMENDATORY 59 O.S. 2011, Section 15.14A, is
15 amended to read as follows:

16 Section 15.14A. A. Before any individual may practice public
17 accounting or hold himself or herself out as being engaged in the
18 practice of public accounting as a certified public accountant or
19 public accountant in this state, such person shall obtain a permit
20 from the Oklahoma Accountancy Board, unless such person is granted
21 practice privileges under Section 15.12A of this title. Any
22 individual, corporation or partnership or any other entity who
23 provides any of the services defined hereinabove as the "practice of
24 public accounting" without holding a license and permit, or without

1 holding a certificate and permit, shall be assessed a fine not to
2 exceed Ten Thousand Dollars (\$10,000.00) for each separate offense,
3 unless such person is granted practice privileges under Section
4 15.12A of this title, or such entity is exempt from the permit and
5 registration requirements of Section 15.15C of this title.

6 B. The Board shall promulgate rules establishing the
7 qualifications for obtaining a permit to practice public accounting
8 in this state. Such rules shall include but not be limited to
9 provisions that:

10 1. Any individual seeking a permit must have a valid
11 certificate or license;

12 2. Any individual or entity seeking a permit must be registered
13 pursuant to the provisions of the Oklahoma Accountancy Act;

14 3. Any individual seeking a permit must meet continuing
15 professional education requirements as set forth by the Oklahoma
16 Accountancy Act and rules promulgated by the Board; and

17 4. There shall be no examination for obtaining a permit.

18 C. All such individuals shall, upon application and compliance
19 with the rules establishing qualifications for obtaining a permit
20 and payment of the fees, be granted an annual permit to practice
21 public accounting in this state. ~~Until January 1, 2010, all permits~~
22 ~~issued shall expire on June 30 of each year and may be renewed from~~
23 ~~year to year. Effective January 1, 2010, all All permits issued~~
24 shall be renewed ~~based on staggered expiration dates~~ on the last day

1 of the individual's birth month in conjunction with the registrant's
2 certificate or license renewal. The Board may issue interim permits
3 upon payment of the same fees required for annual permits.

4 D. Failure to apply for and obtain a permit shall disqualify an
5 individual from practicing public accounting in this state until
6 such time as a valid permit has been obtained.

7 E. The Board shall charge a fee for each individual permit not
8 to exceed ~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars
9 (\$200.00).

10 SECTION 6. This act shall become effective July 1, 2019.

11 SECTION 7. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 57-1-514 NP 1/16/2019 1:35:42 PM
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